

ments permitted by Section 3861.052(a), Special District Local Laws Code, as amended by this Act, to fill a vacancy occurring on the board of directors on or after the effective date of this Act.

SECTION 7. This Act takes effect September 1, 2015.

Passed by the House on May 8, 2015: Yeas 142, Nays 0, 2 present, not voting; passed by the Senate on May 22, 2015: Yeas 30, Nays 0, 1 present, not voting.

Filed without signature June 15, 2015.

Effective September 1, 2015.

**APPROVAL OF CERTAIN ALCOHOLIC BEVERAGES BY THE
TEXAS ALCOHOLIC BEVERAGE COMMISSION**

CHAPTER 440

H.B. No. 1348

AN ACT

relating to the approval of certain alcoholic beverages by the Texas Alcoholic Beverage Commission.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 101.671(b), Alcoholic Beverage Code, is amended to read as follows:

(b) On registration of a certificate of label approval issued by the United States Alcohol and Tobacco Tax and Trade Bureau, the commission shall approve the product under this section and issue a letter to that effect to the permittee. The commission may not require additional approval for the product unless there is a change to the label or product that requires reissuance of the federal certificate of label approval. The commission shall accept the certificate of label approval as constituting full compliance *only* with any applicable standards adopted under Section 5.38 regarding quality, purity, and identity of distilled spirits or wine.

SECTION 2. This Act takes effect September 1, 2015.

Passed by the House on April 16, 2015: Yeas 146, Nays 0, 2 present, not voting; passed by the Senate on May 22, 2015: Yeas 30, Nays 1.

Filed without signature June 15, 2015.

Effective September 1, 2015.

**ABATEMENT OF PUBLIC NUISANCES ON CERTAIN
UNDEVELOPED LAND; AMENDING PROVISIONS SUBJECT
TO A CRIMINAL PENALTY**

CHAPTER 441

H.B. No. 1643

AN ACT

relating to abatement of public nuisances on certain undeveloped land; amending provisions subject to a criminal penalty.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 343.002, Health and Safety Code, is amended by adding Subdivision (10-a) and amending Subdivision (11) to read as follows:

(10-a) *“Undeveloped land” means land in a natural, primitive state that lacks improvements, infrastructure, or utilities and that is located in an unincorporated area at least 5,000 feet outside the boundaries of a home-rule municipality.*

(11) “Weeds” means all rank and uncultivated vegetable growth or matter that:

(A) has grown to more than 36 inches in height; or

(B) *creates* ~~may create~~ an unsanitary condition *likely to attract or harbor mosquitoes, [become a harborage for]* rodents, vermin, or other disease-carrying pests, regardless of the height of the weeds.

SECTION 2. Section 343.011, Health and Safety Code, is amended by amending Subsection (c) and adding Subsection (d-1) to read as follows:

(c) A public nuisance is:

(1) keeping, storing, or accumulating refuse on premises in a neighborhood unless the refuse is entirely contained in a closed receptacle;

(2) keeping, storing, or accumulating rubbish, including newspapers, abandoned vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood or within 300 feet of a public street for 10 days or more, unless the rubbish or object is completely enclosed in a building or is not visible from a public street;

(3) maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or *other* disease-carrying pests;

(4) allowing weeds to grow on premises in a neighborhood if the weeds are located within 300 feet of another residence or commercial establishment;

(5) maintaining a building in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, unsanitary conditions, dilapidation, obsolescence, disaster, damage, or abandonment or because it constitutes a fire hazard;

(6) maintaining on abandoned and unoccupied property in a neighborhood a swimming pool that is not protected with:

(A) a fence that is at least four feet high and that has a latched and locked gate; and

(B) a cover over the entire swimming pool that cannot be removed by a child;

(7) maintaining on any property in a neighborhood in a county with a population of more than 1.1 million a swimming pool that is not protected with:

(A) a fence that is at least four feet high and that has a latched gate that cannot be opened by a child; or

(B) a cover over the entire swimming pool that cannot be removed by a child;

(8) maintaining a flea market in a manner that constitutes a fire hazard;

(9) discarding refuse or creating a hazardous visual obstruction on:

(A) county-owned land; or

(B) land or easements owned or held by a special district that has the commissioners court of the county as its governing body;

(10) discarding refuse on the smaller of:

(A) the area that spans 20 feet on each side of a utility line; or

(B) the actual span of the utility easement;

(11) filling or blocking a drainage easement, failing to maintain a drainage easement, maintaining a drainage easement in a manner that allows the easement to be clogged with debris, sediment, or vegetation, or violating an agreement with the county to improve or maintain a drainage easement;

(12) discarding refuse on property that is not authorized for that activity; or

(13) surface discharge from an on-site sewage disposal system as defined by Section 366.002.

(d-1) This subsection applies only to a county with a population of 3.3 million or more and only in an unincorporated area in the county that is at least 5,000 feet outside the boundaries of a home-rule municipality. Subsections (c)(3) and (4) apply only to undeveloped land in the county for which:

(1) a condition on that land has been found to cause a public nuisance under those provisions in the preceding year; and

(2) a finding of public nuisance could have been applied to that condition when the condition first occurred.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on May 4, 2015: Yeas 141, Nays 0, 1 present, not voting; passed by the Senate on May 22, 2015: Yeas 31, Nays 0.

Filed without signature June 15, 2015.

Effective June 15, 2015.

ABILITY OF CERTAIN COUNTY ASSISTANCE DISTRICTS TO ANNEX ROADS

CHAPTER 442

H.B. No. 2599

AN ACT

relating to the ability of certain county assistance districts to annex roads.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 387, Local Government Code, is amended by adding Section 387.0031 to read as follows:

Sec. 387.0031. INCLUSION OF ROADS IN CERTAIN DISTRICTS. (a) This section applies only to a district created by a county with a population of more than 580,000 that borders a county with a population of more than four million.

(b) The governing body of a district by order may include in the district a portion of a road, including associated drainage areas, that is located in a municipality located in the county that created the district if the municipality consents to the inclusion. An election is not required to approve an order described by this subsection.

(c) The district may use money available to the district to perform maintenance or improvement on a road and the associated drainage areas included in the district in accordance with this section.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on April 30, 2015: Yeas 128, Nays 11, 1 present, not voting; passed by the Senate on May 22, 2015: Yeas 30, Nays 1.

Approved June 15, 2015.

Effective June 15, 2015.